

REMARKS

In the Office Action, the Examiner rejected claims 1-21 under 35 USC §103. These rejections are fully traversed below. The claims have been amended to correct minor informalities and to further clarify the subject matter regarded as the invention, in order to expedite allowance of the pending claims. Claim 21 has been cancelled. Claims 22-24 have been added. Claims 1-20 and 22-24 are now pending.

Reconsideration of the application is respectfully requested based on the following remarks.

REJECTION OF CLAIMS UNDER 35 USC §103

In the Office Action, the Examiner rejected claims 1-21 under 35 USC §103 as being unpatentable over Ohba et al., U.S. Publication No. US 2004/0098588 A1, ('Ohba' hereinafter). This rejection is fully traversed below.

As noted in the Background section of Applicant's specification, the IP address may not be known during layer 2 authentication. In a network such as an SSG based network, it is not possible to correlate the layer 2 information with the layer 3 information. As a result, a user must typically enter identifying information such as a password to enable the network to correlate this layer 2 and layer 3 information. However, this method of authentication would be undesirable in a situation in which a user is using a device such as a cell-phone.

The invention as recited in the pending claims enables a Mobile Node to be authenticated without performing layer 3 authentication. More particularly, an IP address associated with layer 2 information is received without performing layer 3 authentication. For example, as recited in claim 4-6, this may be accomplished by receiving a packet such as an ACCT start or an ACCT stop packet that includes the IP address.

The pending claims recite the receiving of an IP address associated with the layer 2 information without performing layer 3 authentication. The Examiner admits that Ohba fails to disclose that the unorphanning occurs when an IP address associated with the layer 2 information is received such that the unorphanned host object includes the IP address and layer

2 information. The Examiner asserts that “Ohba does show that if layer 3 authentication is performed after layer 2 authentication session information may be shared by authentication in different layers (see paragraph 39).” Thus, the Examiner admits that Ohba requires that layer 3 authentication be performed in order to obtain the IP address. Accordingly, Applicant respectfully asserts that Ohba teaches away from authenticating a Mobile Node without performing layer 3 authentication. In fact, it appears that Ohba merely discloses a prior art system such as that described in the Background section of Applicant’s specification.

In an SSG-based network, SSG-based network systems typically maintain host objects for Mobile Nodes that are supported. Each host object typically includes layer 2 information, as well as an IP address. Nothing in Ohba indicates that an “orphaned host object” may be generated, or that an “orphaned host object” may be “unorphaned,” as claimed.

The Examiner further refers to Droms et al, (“Radius Attributes Sub-option for the DHCP Relay Agent Information Option”). However, Applicant respectfully asserts that Droms fails to cure the deficiencies of the primary reference. More specifically, Droms neither discloses nor suggests generating an “orphaned host object” or that an “orphaned host object” may be “unorphaned.” Moreover, since Ohba implies that layer 3 authentication should be performed after layer 2 authentication, there fails to be a teaching to combine the cited references for the claimed purpose.

It is also important to note that nothing in the cited art discloses or suggests the problem in the prior art resulting from the fact that a user must typically log in to the SSG-based network in order for the SSG-based network to perform layer 3 authentication. As such, there fails to be a motivation to combine Droms, which does not relate to an SSG-based network, with Ohba.

Based on the foregoing, it is submitted that the claims are patentable over the cited reference. The additional limitations recited in the independent claims or the dependent claims are not further discussed as the above-discussed limitations are clearly sufficient to distinguish the claimed invention from the cited reference. Thus, it is respectfully requested that the Examiner withdraw the rejection of the claims under 35 USC §103.

Reconsideration of the application and an early Notice of Allowance are earnestly solicited. If there are any issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is

respectfully requested to contact the undersigned attorney at the telephone number listed below.

Applicants hereby petition for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Amendment is to be charged to Deposit Account No. 504480 (Order No. CISCP345).

Respectfully submitted,
WEAVER AUSTIN VILLENEUVE & SAMPSON LLP
/Elise R. Heilbrunn/
Elise R. Heilbrunn
Reg. No. 42,649

WEAVER AUSTIN VILLENEUVE & SAMPSON LLP
P.O. Box 70250
Oakland, CA 94612-0250
(510) 663-1100